

ANARCHISTS THREATEN EMBASSY

**Bomb Found Near American
Ambassador's Home in
Paris, France.**

DISCOVERY FOLLOWS MIDNIGHT EXPLOSION

Paris, France, Oct. 14.—A powerful bomb was discovered by the police today at the foot of a tree in Avenue Klöber, near the American embassy. Officers attributed the attack to anarchists who sought to put new ginger into the apparently dead railroad strike.

The bomb contained 300 grains of Cheddite powder and several iron bolts. It was similar to a bomb exploded last night in Rue de Berre, a few doors from Champs Elysees.

Better Traffic Conditions.

Traffic conditions generally are improved today. The Western railroad is practically tied up, but only 8 percent of the employees of the Northern road failed to report for work this morning.

Provisions in sufficient supply for Paris are arriving and the famine danger is over.

Explosion Shakes Houses.

A powerful bomb was exploded about midnight in front of the house at No. 6 Rue de Berre, a few doors from the Champs Elysees. The explosion smashed the door and seriously damaged the facade. All windows in the adjoining houses were broken. No one was injured, the lower floors of the house being unoccupied.

M. Lepine, prefect of Paris, was quickly on the scene. Fragments of the bomb were taken to a laboratory. It appears to have been constructed out of a large kettle. The police attribute the outrage to anarchists but it is a mystery why they chose the house, as no officials reside there.

Strike Threatened in Italy.

Rome, Italy, Oct. 14.—The Italian government is following the strike situation in France with keenest interest. There is reason for this, as it is known that the employees of the Italian post, together with the telegraph, telephone and railroad systems, are organizing for a general strike next December. This might lead to serious political troubles.

WACO AND AUSTIN, TEX.,
SHOW SMALL INCREASE

Census Bureau Issues Statement of Increase in Two Other Cities; Bloomington Increase 2482.

Washington, D. C., Oct. 14.—The bureau has announced the population of Waco, Tex., as 26,425, an increase of 27.7 percent over the census 10 years ago.

Montgomery, Ala., 38,136, an increase of 7790.

Austin, Tex., 29,360, an increase of 7162.

Bloomington, Ill., 25,768, an increase of 2482.

BANK LOST MUCH MONEY
THROUGH REPEATED THEFTS

Tulsa, Okla., Oct. 14.—The theft of \$5000 from the Colonial Trust company of Tulsa, Okla., was revealed today, when Lloyd Critchton, a former bookkeeper of the bank, confessed after 12 hours' "sweating."

Critchton had brought suit against J. W. Orr, president of the trust company, and two detectives for \$5000 for false arrest on embezzlement charges.

TAFT WILL VISIT PANAMA
CANAL EARLY IN NOVEMBER

Beverly, Mass., Oct. 14.—President Taft decided yesterday afternoon, after a conference with Col. Goethals, to pay his proposed visit to Panama early in November. Col. Goethals convinced the president that legislative matters concerning the canal makes necessary his visit at this time.

BURNED COTTON GIN IS
DESTROYED BY MORNING FIRE

Burnett, Tex., Oct. 14.—H. I. Dale's cotton gin, one of the largest in the county, was destroyed by fire early this morning causing a loss of \$8000. About 30 bales of cotton were burned up and twenty more damaged. The origin of the blaze has not been determined.

SMALL BOYS PLAY INDIAN
ONE IS FATALLY SHOT

Nacogdoches, Tex., Oct. 14.—James Miller, aged 10, was fatally wounded a few miles east of here today, when accidentally shot by Luther Brown, a companion of the same age. The boys were playing "Indian" and they failed to ascertain that the gun was loaded.

MT. PLEASANT MAN KILLED,
FOLLOWING A QUARREL

Mt. Pleasant, Tex., Oct. 14.—Burrill Tigert was shot and killed a few miles from here today, following a dispute with Will Cobb, Tigert's son-in-law, who is charged with the killing. Details of the crime have not been learned here.

OLD TYLER MERCHANT DEAD.

Tyler, Tex., Oct. 14.—George Wilber, one of Tyler's oldest merchants, 71 years old, died here today. He was a director in the Citizens National bank and formerly was a state ranger and a confederate soldier.

VAUGHN RAILROADER IS SHOT TO DEATH

Vaughn, N. M., Oct. 14.—H. H. Hargis was shot and instantly killed yesterday in Moore's barber shop near the Santa Fe station. E. G. McNabb was arrested after the killing.

Hargis had just got up from the barber's chair, and was putting on his collar, when two shots were fired through the screen door, presumably from across the street, both shots striking Hargis near the heart. He fell, not speaking or conscious of anything, and died almost instantly.

E. G. McNabb is traveling for the Harris, Polk hat house, of St. Louis, and has been a resident of Vaughn for two years.

H. H. Hargis was station agent at the E. P. & S. W., having held the position for several months.

Hargis' body lies at the undertaker's, awaiting a message from his wife who is in Kansas.

CONSTITUTION PREAMBLE READY

**Arizona Delegates to Intro-
duce It at Saturday Morn-
ing Session.**

ALL MEMBERS WILL VOTE ON QUESTIONS

Phoenix, Ariz., Oct. 14.—The preamble of the constitution will be introduced by the committee tomorrow morning. After Saturday, propositions will be submitted under proper order of business and Monday the actual work of drafting the constitution will begin.

The committee on rules report, submitted this morning, will be considered tomorrow.

The convention will meet hereafter at 9 o'clock a. m. and no proposition shall become part of the constitution without a yeas and nays vote. Every member may be heard on any question.

Making Good Headway.

Good headway is being made in Arizona's constitutional convention. Actual work of framing the constitution will begin at 9 o'clock this morning. Committees having been appointed, the rules reported by the committee are elastic and liberal and allow the fullest opportunity for expression of opinion and amendment of provisions on the floor of the convention.

Public Hearings Soon.

Public hearings will be announced by the chairman of the important committees next week. The committee on legislative is very progressive, ensuring reasonable low percentages for the initiative and referendum. Winsor, the chairman, is pledged to the Oregon plan, but favors higher percentages. Prediction may be ventured that the requirement for the initiative will not be over 15 percent, possibly about 12 percent; for recall 18 to 20 percent.

A verbatim report of the proceedings including debates will be printed. There will be a wild scramble among the Democratic papers for this work.

OKLAHOMA WRECK
CLAIMS ONE VICTIM

Fort Smith, Ark., Woman Seriously Injured; Child of Another Passenger Is Still Missing.

Paris, Tex., Oct. 14.—The Frisco passenger train No. 5, the limited which went through a bridge near Tallahassee, Okla., late yesterday afternoon, was brought into Paris at 2 o'clock this morning. Forty persons were injured in the wreck. It is said Mrs. M. L. Banks, of Fort Smith, Ark., who resided in Tulsa, Okla., was killed. The child of Mrs. J. P. Kirkbridge has not yet been located.

The wreck occurred on a short curve in the Windfall Stair mountains while the train was passing over a small bridge. The train was being pulled by a locomotive and a passenger car. The car broke through the bridge. The chair car landed in the bottom of a creek. The smoker was thrown crossways on the right-of-way, while the diner stood on end in the creek.

Edward R. Smith, dining car chef, a white man, died as a result of injuries. He was pierced by a large iron meat chisel which went through his body when the car leaped into the ditch. Smith lived in St. Louis.

SIX FOREIGNERS DIE
IN INDIANA WRECK

Ft. Wayne, Ind., Oct. 14.—In a collision between freight and work trains on the Grand Rapids & Indiana railroad at Summit early today, six were killed and several injured. The victims are foreigners and members of the construction gang.

CHANDLER'S FIRST WIFE
IS GRANTED INJUNCTION

New York, N. Y., Oct. 14.—Justice Guy in the supreme court has granted to Mrs. Julia C. Chandler, first wife of Robert Winthrop Chandler, an injunction against R. W. Chandler, Lewis Stuyvesant Chandler and Winthrop Chandler, the Union Trust company and the New York Insurance and Trust company as trustees of the Chandler estate and Lina Cavalieri Chandler, restraining them from disposing of or transferring any property belonging to Robert W. Chandler until the action brought by the plaintiff to set aside the prenuptial agreement entered into by Robert W. Chandler and Lina Cavalieri is determined in the court.

Mrs. Julia C. Chandler is Robert W. Chandler's former wife and the mother of his two children, of whom she was given the custody when she obtained a divorce.

The purpose of the attack on the ante-nuptial agreement is to protect the \$20,000 which Chandler has paid annually for the support of his former wife and children. This obligation, it is contended, is a legal one, and the ante-nuptial contract which is held to have no legal force.

NO RUSSIANS OR JEWS
ARRIVE AT GALVESTON

Galveston, Tex., Oct. 14.—The steamship Hanover arrived here today, from Germany with 204 passengers, but there was no Russians or Jews aboard owing to the enforcement of regulations by the government on account of the cholera epidemic in Europe.

This is the first ship arriving without these two classes for several years.

WRECKAGE ON OCEAN'S TWO COASTS

**England and Georgia Feel
Force of Severe Storm.
Isle of Pines Visited.**

CASUALTIES IN ENGLAND LARGE

London, England, Oct. 14.—The English coast is strewn with wreckage as a result of the storm which has continued two days. The casualty list is a long one. This morning the bodies of five seamen from the coasting steamer Granford, were picked up off Hartlepool. It is believed the vessel which carried a crew of 40, foundered and that the men attempted to reach shore in a small boat and were lost.

TOBACCO CROP INJURED.

Havana, Cuba, Oct. 14.—The full force of the storm, approach of which was heralded yesterday, struck the city at 1 o'clock this morning. It brought a deluge of rain and most of the street lights were extinguished. The storm, after sweeping over the Isle of Pines yesterday, moved eastward and then shifted to west, affecting chiefly Matanzas, Havana and Pinar del Rio provinces. It is feared the tobacco crop at Pinar del Rio has been destroyed by the washing out of seed beds.

It is reported that the town of Cañida has been devastated and many killed. All communication is cut off from the interior.

STORM SWEEPS GULFWARD.

Mobile, Ala., Oct. 14.—The local weather bureau issued a storm bulletin this morning warning that a dangerous gale will sweep the Florida coast and southeast part of the Gulf of Mexico during the next 24 hours.

HEAVY LOSS ON BALTIC SEA.

St. Petersburg, Russia, Oct. 14.—A hurricane swept over the eastern coast of the Baltic sea last night, causing many wrecks and the loss of hundreds of lives among the sailors is reported.

NEW YORK BIG ART DEALERS ARRESTED

**Duven Brothers Charged
by Government With
Customs Fraud.**

New York, N. Y., Oct. 14.—The entire Fifth avenue establishment of the five Duven brothers, known the world over as dealers in rare art objects and antiques, has been seized by federal authorities, and Benjamin J. Duven, the only member of the firm now in the city, placed under arrest charged with conspiracy to defraud the government out of customs duties. Henry A. Wise, United States district attorney, in asking for extraordinary heavy bail \$100,000, said he had evidence that the frauds reach more than \$1,000,000, and that all five brothers were implicated as well as another man. Bail was finally fixed at \$50,000 which was given, and Duven was released.

The firm of Duven Bros. is composed of Henry J. Duven, Louis M. Duven, Joseph J. Duven, and Benjamin J. Duven. They have establishments in New York, London and Paris.

Customs officials are actively engaged today in examining the works of art displayed in galleries of Duven Bros.

The United States government has warrants for the remaining members of the firm who have art galleries in the large capitals of Europe. Millions of dollars worth of paintings and art works have been sold to millionaire patrons in this country and it was suggested today that the customs officials may invade these art collections and temporarily hold these masterpieces pending the adjudication of the alleged frauds.

MCGREGOR WOMAN STILL
SEEKING CHANGE OF VENUE

Waco, Tex., Oct. 14.—The defense today introduced further testimony in efforts to secure change of venue for Mrs. Minnie Lee Streight, charged with the murder of her husband at McGregor. Evidence today was introduced to prove a conspiracy exists against the defendant at McGregor, and a fair trial is impossible in McLennan county. Many witnesses disagreed as to the alleged conspiracy.

BODY OF COLORADO JUSTICE
LIES IN STATE CAPITOL

Denver, Colo., Oct. 14.—The body of Robert W. Steele, chief justice of the supreme court of Colorado, is to lie in state from 2 to 6 o'clock today in the rotunda of the capitol here. This was decided by governor Shafroth and judge Steele's colleagues on the supreme bench after the consent of the family had been obtained. A detachment of the Colorado national guard is keeping watch about the bier.

SEVEN BURN TO DEATH
IN MONTREAL, CANADA, FIRE

Montreal, Canada, Oct. 14.—Seven lives are believed to have been lost in a fire that destroyed the Kings Hall building. Five bodies have been found. After a thrilling rescue of two men by the firemen, soon after the blaze was discovered, it was surmised that all the occupants had escaped. It was not until in the afternoon when relatives made inquiries for victims, that the ruins were searched and the bodies found. Watchman F. Whittall died while trying to save his family. His body was found with his two children clasped in his arms while nearby was the body of his wife.

Mexican Actress Adopts Homeless Babe

Presented To Her Maid By An American Mother

(By T. G. Turner.)

By the kind heart of a Mexican girl who makes her money by dancing in a South El Paso theater, the child of an American mother has been saved from homelessness, perhaps death. The American mother deserted the child; the Mexican dancing girl has claimed it as her own.

The child, baby girl of but a few days' life, is not a foundling. Wrapped in a bundle of clothes, the babe was delivered by the mother to a youthful maid who attends Marie Coronado, the girl who dances.

American Baby.

Too youthful to fully understand,

WINDPIPE SEVERED, WOMAN STILL LIVES

Los Angeles, Cal., Oct. 14.—Expert surgery saved the life of Mrs. Belle Turner of Peyton, Colo., today after she had completely severed her windpipe with a pair of scissors. She was despondent because of ill health.

When she was found in bed at the home of her sister, here, she was rushed to a receiving hospital. Surgeons performed an operation for tracheotomy, an incision of the windpipe, and it is believed the woman will live.

Mrs. Turner, who is the mother of four children, came here from Colorado in September.

NEW MEXICAN LAW MAKERS AGAIN SESSION

**Probably Will Require 90
Days to Complete the
Constitution.**

Santa Fe, N. M., Oct. 14.—The committees appointed to draft articles for the constitution of New Mexico held public sessions again yesterday and the constitutional convention reconvened at 2:30 o'clock this afternoon, after two days' devoted exclusively to committee work.

The members of the convention are just beginning to realize the tremendous nature of the work which confronts them. It is now believed that according to plans made by army engineers the fighting forces have surrounded the flames by a burned over tract and the fire in the center is being allowed to burn itself out. The 50 men sent to reinforce the fire fighters from Denver will remain at the fire until it is completely extinguished.

Suspicion has been aroused that the fires were started by settlers in the vicinity of the burned district. The names of two men suspected are known to M. D. McNairy, chief of the Colorado division of the United States land office, but he has refused to disclose them. This theory was strengthened today when rangers discovered a fresh fire which had broken out in a section they had just patrolled. The rangers are confident this fire must have been of incendiary origin.

PLANS APPROVED TO RAISE MAINE

**Spain Asked to Send Repre-
sentative During Work.
Hulk to Be Sunk.**

Beverly, Mass., Oct. 14.—President Taft has approved plans for raising the wreck of the battleship Maine which call for the completion of the work on or before the 15th anniversary of the destruction of the war vessel, February 15, next. The work is to be done according to plans made by army engineers and is to be under the direction of an engineer officer.

President Taft believes that the paramount question is the determining of all time the cause of the explosion. He has invited Spain to send a representative to be present during the work of exposing and removing the wreck.

If congress approves the recommendation of the engineers, the wreck will be taken out to sea and given a ceremonial burial in deep water, there to remain until the end of time. Various plans have been suggested of exhibiting the wreck and preserving it, but none of these finds favor with the authorities at Washington. Congress recently appropriated \$200,000 for raising the wreck.

The first work will be the construction of a coffer dam of interlocking steel pilings large enough to give a clearance of 50 feet on all sides of the wreck. The pumping out of the water when the dam is completed will unquestionably be an impressive event.

The bodies of sailors who lost their lives in the disaster and were never recovered will be taken to the Arlington National cemetery at Washington for burial.

A naval board of inquiry, which was convened in Havana and made such an examination of the wreck as was possible with divers and the testimony of survivors, reported that the explosion came from the outside, probably a mine.

The hull has sunk but one foot in the 12 years and a half since it went down. The dam is to be constructed about the wreck and will be 415 feet in length and 275 feet at the widest point.

ROOSEVELT OPENS NEW YORK FIGHT

**Denounces State Democracy.
Fight for the People Is
to Continue.**

Dunkirk, N. Y., Oct. 14.—"Wall street and Tammany hall have struck hands," said Theodore Roosevelt, when he opened the campaign for the Republican state ticket here, this afternoon. He denounced the New York state Democracy with great emphasis.

"We are fighting for the rule of the people against the most shameless combination of crooked politics and crooked finance our state has seen since Tweed was driven from power," he declared.

GOVERNOR GOES TO DALLAS TO OPEN THE STATE FAIR

Austin, Tex., Oct. 14.—Governor Campbell, accompanied by adjutant general Newton and others, left for Dallas at 1 o'clock this afternoon, where he will open the state fair tomorrow. The governor's condition is improved.

WHERE IS J. F. CALLIAN?

Juarez police are looking for a J. F. Callian, but not because he has done anything wrong. Commandant of police Ponce de Leon has received a telegram for a man of that name, and nobody seems to know any such person.

MINNESOTA FIRE VICTIMS INTERRED

**Roads Cut Into Burned Dis-
trict—Woman Teacher's
Feet Shorched.**

Bandette, Minn., Oct. 14.—A detail of 20 Minnesota national guardsmen left here early today to bury the bodies of three victims of forest fires discovered yesterday in a cedar tangle seven miles east of here. All yesterday afternoon woodsmen were chopping a road into the burned and fallen timber by which bodies may be taken to Silver Creek for burial if they are not too badly burned. If the bodies cannot be moved they will be buried where found.

Mary Donaghy, of New Richmond, Wis., a pretty school teacher and homesteader of Zippie, was brought into town late last night with both feet scorched. She was caught in the flames a week ago last Tuesday and lay all night in a gravel pit before help came.

COLORADO FIRE UNDER CONTROL; SUSPICIONS RIFE

Denver, Colo., Oct. 14.—The forest fire that has been raging on the Big Chief and Sheep mountains in Jefferson county, 14 miles from control. By back firing the fighting forces have surrounded the flames by a burned over tract and the fire in the center is being allowed to burn itself out. The 50 men sent to reinforce the fire fighters from Denver will remain at the fire until it is completely extinguished.

Suspicion has been aroused that the fires were started by settlers in the vicinity of the burned district. The names of two men suspected are known to M. D. McNairy, chief of the Colorado division of the United States land office, but he has refused to disclose them. This theory was strengthened today when rangers discovered a fresh fire which had broken out in a section they had just patrolled. The rangers are confident this fire must have been of incendiary origin.

DEAD BODIES ARE TAKEN FROM MINE

**Many Other Men Still Miss-
ing—Identification Be-
coming Impossible.**

Starckville, Colo., Oct. 14.—The bodies of four more victims of the Starckville mine explosion were brought to the surface shortly after last midnight. It is possible to identify only one of them. Twenty-two bodies have been buried or are in the morgue, four more have been located and 29 still are missing.

Rescue parties are now directing their efforts toward the remote parts of the mine where, it is believed, the bodies of most of the victims will be found. The bodies now being brought from the mine are in an advanced state of decomposition and chances of identification are growing less.

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LEACH UNDERGOES THREE HOUR GRUELING EXAMINATION AND PLEADS MANY DEFENCES—MRS. LEACH FOLLOWS HUSBAND ON STAND AND REPORTS CONVERSATION WITH KOHLEBERG—MANY CHARACTER WITNESSES APPEAR FOR LEACH FRIDAY—TRIAL MAY CLOSE SATURDAY.

Leach Undergoes Three Hour Grueling Examination and Pleads Many Defences—Mrs. Leach Follows Husband on Stand and Reports Conversation with Kohleberg—Many Character Witnesses Appear for Leach Friday—Trial May Close Saturday.

District attorney Howe: "You are not worried a bit over the fact that you killed a man?"

Defendant, John Leach: "Not the least bit in the world."

District attorney Howe: "When you saw the two Kohlebergs coming toward you, did you fire to stop them?"

Defendant, John Leach: "No; I fired to kill Ernest Kohleberg."

—Thursday's Testimony.

An objection on the part of the attorneys for the defense in the case of John Leach, being tried in the 34th district court, before special Judge Patrick H. Clarke on the charge of murder, brought the trial to a sudden stop at 11 o'clock Friday morning and the machinery of the law was at a standstill until adjournment was taken at noon until 2 o'clock in the afternoon.

It was when F. R. Simmons, an undertaker and a witness for the defense, was testifying, that the court stopped. Replying to a question on direct examination, Simmons stated: "I have known Leach for about 18 years and his reputation prior to the homicide was good."

"We pass the witness," said attorney Wharton, of the defense.

"Do you know Kohleberg's character?" was the question shot at the witness by district attorney Howe.

"I do," answered the witness, "I know Wharton and Gardner, of the defense."

Legal Question Involved.

The ground of objection on the part of the defendant's attorneys was that under the state statutes the reputation of the deceased may not be proved in the first instance by the state, unless the defense has proved threats on the part of the deceased against the defendant.

Judge Falvey, counsel for the state, contended that the courts of the state have held that an assault amounts to a threat, and that Leach, as Leach had testified on direct examination that E. Kohleberg and Walter Kohleberg had rushed upon him from the rear of the Kohleberg store, an assault had been made and that the state therefore had a right to prove the character of the deceased by the witness on the stand.

Long Recess Is Taken.

Court recessed while the point was being investigated by the court, and at noon, Judge Clarke announced an adjournment until 2 o'clock in the afternoon.

F. R. Simmons, the witness who was on the stand when the trial was abruptly stopped, was excused for the time being.

The audience in the court room continues to be made up largely of men, though there were a few new fall hats seen here and there in the crowd of the curious. During the hour recess Friday morning, Leach talked to his little daughter, who sat inside the railing.

Trill May Close Saturday.

The introduction of all the direct testimony and that of the state and defense in rebuttal may be closed Saturday, as the defense Friday morning began the introduction of character witnesses for Leach. The state will have considerable evidence in rebuttal, it is said, but it is thought the case will be completed and the arguments by the attorneys completed by Saturday night.

Many Character Witnesses.

Testimony as to the character and general reputation of Leach comprised the court proceedings in the trial of the case Friday morning until district attorney Howe attempted to produce testimony as to the character and general reputation of Mr. Kohleberg. This occurred at 11 o'clock and a recess was taken and the jury excused while the disputed point was considered.

The first witness on the stand was Harry Vizari, a secondhand dealer, who stated that he had known Leach for five or six years and that his reputation in the community in which he lived was good prior to the homicide, on June 17.

Old Resident Testifies.

James M. Smith, for 21 years a resident of El Paso and for 12 years a United States government customs inspector, was the next witness. He referred to Leach as Johnny Leach, but stated he did not know Leach's general reputation. He was excused.

W. N. Elliott, the policeman who testified in behalf of Leach Thursday afternoon, was called as the third character witness and he testified Leach's reputation on South El Paso street, Elliott's beat, was good, so far as he knew.

M. H. Fliley, 810 North Virginia, and an inspector for the street railway company, testified he had known Leach for 18 years; that he had roomed with him for several years and that he belonged to the same order and that his reputation was considered good.

Prospector Knows Leach.

Frank Scotten, who has lived in El Paso since 1889 and has been in the saloon business, stated, in reference to Leach: "He is a square and upright man, so far as I know." Mr. Scotten also stated that he and Leach, while prospecting in Mexico, almost starved and that he felt very friendly toward Leach.

J. B. Sanburn, a retired groceryman, who formerly conducted a store at 415 North Stanton, stated that Leach at one time conducted a secondhand store next door to his establishment and that Leach's reputation was good.

Jno. C. Morris, 629 Gladstone street, a meat dealer, stated he had known Leach for 23 years and that he knew his reputation to be good.

Charles C. Pollock, 1115 Boulevard, a tobacco dealer, but a former railroad man, stated: "I have known Leach for nine years. I do not belong to any organization of which Leach is a member. I never heard anything against him."

Railroad Conductor on Stand.

W. P. Ennis, of Clint, a former G. H. conductor, stated he had known Leach 20 or 22 years ago as a railroad man; that he was very well acquainted with Leach and that his reputation prior to the homicide, on June 17, "was good, so far as I know."

G. H. Wheeler, also of Clint, was the next witness. He stated that he had resided in El Paso for nine and a half years before going to Clint, during which time he was a railroad conductor; that he had known Leach the greater part of the time and that his reputation was good.

T. I. Sullivan, of El Paso, also a railroad conductor, stated he had been acquainted with Leach for a number of years and that his reputation previous to the homicide, on June 17, was good.

C. L. Ervin, for 14 years a resident of El Paso, and a furniture dealer, stated he had known Leach for seven or eight years, and that his reputation was good.

Among others who testified as character witnesses for Leach was A. A. Howard.

Testimony of Leach.

Continuing his testimony Thursday afternoon Leach said:

"The only remark he (Kohleberg) made was a remark as to Walter Kohleberg. I did not understand. It was not Mexican and it was not English. He said to me, 'Damn you and damn your wife,' and I says, 'Damn you, too,' and pulled. They did not know I had a gun up. I got as far as I could from them. I cannot describe my feelings; I have no idea how I felt. There was a feeling running through me and I could not tell what it was. When I saw two men coming towards me, old man Kohleberg had something in his hand and both rushed at me in such a way that I feared they would do me bodily harm."

Leach was asked what his intentions were when he went to Kohleberg's store.

When he went for a Settlement.

"I intended to make a settlement," he replied. "It was not altogether the matter of rent that I went there to see about, and if he had denied that concerning my wife. I think we could have straightened it out. I desired to stay at the hotel. As soon as they found out I was making money they wanted to close me out. When I went to the store and they used me with such contempt something had to be done one way or the other for treating me and my wife as he did. Kohleberg was trying to break up my home and my wife. I love my wife and my children, and when a man treats me with the contempt Ernest Kohleberg did, either I'll get him or he will get me. That was the feeling that I had before I shot him."

Walter Kohleberg said something in the back of the store and rushed at me. It was semi-dark in the store and I could not see plainly. I was discharged from the store and I was in the army because my eyesight was defective. I can see white and black, but I cannot tell whether you have a mustache or not."

(Continued on next page.)

CHARLTON MAY BE RETURNED TO ITALY

New York, N. Y., Oct. 14.—Porter Charlton, the confessed murderer of his wife, Mrs. Mary Scott Castle Charlton, was today ordered turned over to the federal authorities, in proceedings